

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION

IN RE:)
)
SINGLETON FOOD SERVICES, INC.) CHAPTER 11
) CASE NO. 18-22157-jrs
Debtor.)

**MOTION OF DEBTOR FOR ORDER ESTABLISHING BAR DATE
FOR FILING PROOFS OF CLAIM**

COMES NOW Singleton Food Services, Inc. (“Debtor”), debtor and debtor in possession in the above-captioned Chapter 11 case, by and through undersigned counsel, and hereby files this “Motion for Order Establishing Bar Date for Filing Proofs of Claim” (the “Motion”). In support of the Motion, Debtor shows the Court as follows:

Jurisdiction

1. This Court has jurisdiction to consider the Motion pursuant to 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

Background

2. Debtor filed a Voluntary Petition for Relief under 11 U.S.C. Chapter 11 on November 3, 2018.

3. In accordance with Sections 1107(a) and 1108 of the Bankruptcy Code, Debtor continues to oversee its financial affairs as debtor-in-possession.

4. Debtor is in the process of developing a plan of reorganization for successfully emerging from Chapter 11.

Relief Requested

5. Debtor requests entry of an order establishing **February 14, 2019** (the “Bar Date”), as the deadline for all creditors and parties-in-interest asserting a claim against the Debtor arising before the Petition Date to file a proof of claim.

6. Section 105 of the Bankruptcy Code codifies the inherent equitable powers of the Bankruptcy Court. *See Croton River Club v. Half Moon Bay Homeowners’ Assoc., Inc., (In re Croton River Club)*, 52 F.3d 41, 45 (2nd Cir. 1995).

7. Rule 3002(c)(3) of the Federal Rules of Bankruptcy Procedure provides, in pertinent part, that the “court shall fix and for cause shown may extend the time within which proofs of claim or interest may be filed.”

8. Establishing a proof of claim bar date would assist the Debtor with developing and implementing a plan of reorganization and would aid in administering the estate. It is important that Debtor has sufficient notice of all claims in order to formulate a plan of reorganization within the time limits set by the Bankruptcy Code. Creditors will have approximately eighty-nine (89) days to timely file their claims.

WHEREFORE, Debtor requests that this Court enter an order establishing February 15, 2019, as the deadline for filing proofs of claim or interests in this case and granting such other and further relief as is deemed just and proper.

Respectfully submitted this 18th day of November 2018.

/S/ _____
Scott B. Riddle, Esq.
GA Bar No. 604855

Law Office of Scott B. Riddle, LLC
Suite 1800
3340 Peachtree Road NE
Atlanta, Georgia 30326
Phone: 404-815-0164
Fax: 404-815-0165
scott@scottriddlelaw.com
Counsel for Chapter 11 Debtor

CERTIFICATE OF SERVICE

This is to certify that I have caused this day to be served a true and correct copy of the foregoing **Motion to Establish Bar Date for Filing Proofs of Claim** by depositing same in United States Mail in a properly addressed envelope with adequate postage thereon to the attached service list.

Office of the United States Trustee
Room 362 Russell Building
75 Ted Turner Drive, SW
Atlanta, GA 30303

This 18th day of November 2018.

/S/
Scott B. Riddle, Esq.